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10 *Google Inc.*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN JOSE DIVISION**

15 IN RE: HIGH-TECH EMPLOYEE  
ANTITRUST LITIGATION

16 THIS DOCUMENT RELATES TO:  
17 ALL ACTIONS

**Master Docket No. 11-CV-2509-LHK**

**DECLARATION OF ERIC B. EVANS IN  
SUPPORT OF GOOGLE INC.'S REPLY  
IN SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT**

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21 I, Eric B. Evans, declare as follows:

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23 1. I am an attorney with the law firm of Mayer Brown LLP, counsel for Defendant  
24 Google, Inc. ("Google") in the above-captioned matter. I am admitted to practice law before this  
25 Court. I submit this declaration in support of Defendant Google's Motion for Summary  
26 Judgment that is being filed concurrently herewith. As an attorney involved in the defense of  
27 this action, unless otherwise stated, I have personal knowledge of the facts stated in this  
28 declaration and if called as a witness, I could and would competently testify to them.

2. Attached hereto as **Exhibit 1** is a true and correct copy of transcript excerpts from the deposition testimony of Eric Schmidt.

3. Attached hereto as **Exhibit 2** is a true and correct copy of transcript excerpts from the deposition testimony of Patrick Flynn.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on February 27, 2014 in Palo Alto, California. /s/ Eric B. Evans  
Eric B. Evans